

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/14/2022
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**UNITED STATES U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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 OMAR SANTOS HERNANDEZ,
on his own behalf and on behalf of others
similarly situated,

 Plaintiff,

 -against-

 RELAY DELIVERY, INC.
 d/b/a Relay;
 ALEX BLUM, and
 MICHAEL J. CHEVETT,

 Defendants.
 ----- X

Case No. 19-cv-11888

**ORDER GRANTING JOINT
APPLICATION FOR DISMISSAL
WITH PREJUDICE PURSUANT
TO FRCP 41(a)(2)**

MEMORANDUM ENDORSED

GREGORY H. WOODS, U.S District Judge:

WHEREAS, on February 28, 2020, the parties requested that the Court refer Plaintiff's claims to final and binding arbitration, which the Court approved;

WHEREAS, on September 22, 2021, Arbitrator David C. Singer issued a Final Award in favor of all Defendants and against Plaintiff on all claims asserted by Plaintiff in this case;

WHEREAS, on September 13, 2022, the parties submitted a joint application and supporting affidavit to request that this case be dismissed with prejudice;

WHEREAS, Plaintiff's counsel has affirmed the parties have not colluded or entered into any settlement of Plaintiff's Fair Labor Standards Act (or any other) claims;

IT IS NOW ORDERED THAT all claims asserted by Plaintiff Omar Santos Hernandez against Defendants Relay Delivery, Inc. d/b/a Relay, Alex Blum, and Michael J. Chevett in the above captioned matter are dismissed in their entirety, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(2), including any claims for attorneys' fees and costs, and waiving all rights of appeal.

"SO ORDERED" THIS 14 DAY
OF SEPTEMBER, 2022


HON. GREGORY H. WOODS